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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,421	04/09/2004	Peter Ospyka	32469-303686	1219

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FAEGRE & BENSON, LLP

32469

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EXAMINER

BERTRAM, ERIC D

ART UNIT

PAPER NUMBER

3766

NOTIFICATION DATE

DELIVERY MODE

10/10/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

e-OfficeActionBSC@faegre.com

<b>Interview Summary</b>	<b>Application No.</b> 10/821,421	<b>Applicant(s)</b> OSPYKA, PETER	
	<b>Examiner</b> Eric D. Bertram	<b>Art Unit</b> 3766	

All participants (applicant, applicant's representative, PTO personnel):

(1) Eric D. Bertram. (3) \_\_\_\_.

(2) Jason R. Kraus. (4) \_\_\_\_.

Date of Interview: 06 October 2008.

Type: a) ☒ Telephonic    b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant    2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes    e) ☒ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 18,43 and 50.

Identification of prior art discussed: Grandjean et al. (US 5,009,229).

Agreement with respect to the claims f) ☐ was reached.    g) ☒ was not reached.    h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant proposed amendments to the independent claims which recited a proximal opening in the guide channel of the electrode which allowed the proximal end of the tension element to exit therethrough. Examiner agreed that these amendments, if submitted in a response, should overcome Grandjean. Allowability of the case is dependent on further search and consideration of the prior art.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Eric D. Bertram/ Examiner, Art Unit 3766	/Mark W. Bockelman/ Primary Examiner, Art Unit 3766
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